

ATTORNEY DOCKET NO.: 0018-10



TFW

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Carl E. Fabian, M.D. Group Art Unit: 3736
Serial No.: 10/650,377 Examiner: Julie Lieu
Filed: August 28, 2003
For: **ATTACHMENT OF ELECTRONIC TAGS TO SURGICAL
SPONGES AND IMPLEMENTS**
Matter No.: 0018-10

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97(b)**

In accordance with the duty of disclosure under 37 CFR §1.56, listed on the attached PTO-1449 Form are documents developed by a search conducted during prosecution of Applicant's PCT counterpart. The Examiner may deem these documents to be relevant to patentability of the claims of the above-identified application. A copy of each of the documents is enclosed for the convenience of the Examiner.

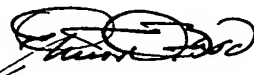
The submission of the listed documents is not intended as an admission that any of the documents constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicants respectfully request that the listed documents be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The present Supplemental Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date

of the first Office Action on the merits, but before a Final Office Action or Notice of Allowance (whichever is earlier), and therefore Applicant is filing concurrently herewith a Certification under 37 CFR §1.97(e). In light of the foregoing, it is understood that no fee under 37 CFR §1.17(p) is required. However, in the event that the Commissioner deems that an additional fee is required, it is respectfully requested that applicant's attorney be contacted and accorded an opportunity to pay such additional fee.

Respectfully submitted,




Ernest D. Buff
Reg. No. 25,833

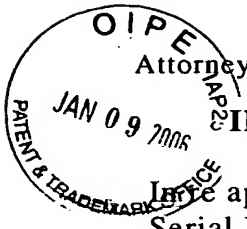
Enclosures

Ernest D. Buff & Associates, LLC
231 Somerville Road
Bedminster, New Jersey 07921
(908) 901-0220

Dated: January 6, 2006

Certificate of Mailing by First Class Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on <u>January 6, 2006</u>	
 <i>Signature</i>	
Ernest D. Buff <i>Attorney of Record</i>	
<u>January 6, 2006</u> <i>(Date)</i>	



Attorney Docket No.: 0018-10

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Inventor application of: Carl E. Fabian, M.D.

Group Art Unit: 3736

Serial No.: 10/650,377

Examiner: Julie Lieu

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**CERTIFICATION UNDER 37 CFR §1.97 (e) ACCOMPANYING
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir/Madam:

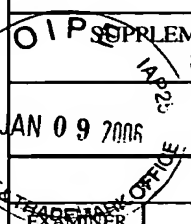
Applicant hereby certifies that each item of information contained in the Supplemental Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

Ernest D. Buff
Reg. No. 25,833

Ernest D. Buff & Associates, LLC
231 Somerville Road
Bedminster, New Jersey 07921
(908) 901-0220

Date: January 6, 2005
0018-10 IDSSUPP-CERT

FORM PTO-1449 (Rev. 2-32)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO: 0018-10		SERIAL NO.: 10/650,377	
 SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				APPLICANT: Carl E. Fabian.			
				FILING DATE: August 28, 2003		GROUP: 3736	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,359,563	03-19-02	Herzer	340	572.6	02-10-99
		6,407,676	06-18-02	Tanji, et al.	340	993	08/27/98
U.S. PATENT APPLICATION PUBLICATION							
		DOCUMENT NUMBER	DATE	PATENTEE OR APPLICANT	CLASS	SUBCLASS	Filing Date
		2002/0005783	01-17-02	Irizarry, Hector et al.	340	572.1	09/13/01
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
EXAMINER				DATE CONSIDERED			
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							